

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

NAVELLIER & ASSOCIATES, INC. and
LOUIS NAVELLIER,

Defendants

Civil Action No. 17-cv-11633

**DEFENDANTS' EMERGENCY MOTION TO STAY ENFORCEMENT OF FINAL
JUDGMENT OR TO REDUCE AMOUNT OF SUPERSEDEAS BOND**

Pursuant to Federal Rules of Civil Procedure Rule 62(d) and Local Rules 62.2 Defendants Navellier & Associates, Inc. (“NAI”) and Louis Navellier (“LN”) (collectively “Defendants”) hereby move to stay enforcement of the Final Judgment (DKT#285) until the Circuit Court of Appeals renders a decision on appeal from said final judgment.

In the alternative, Defendants request this Court to temporarily stay enforcement so that it can rule on this motion.

Defendants further move for an order reducing the supersedeas bond to \$27,500 as that is all Defendants believe that they would be required to “disgorge” in light of the United States Supreme Court decision in *Liu v. SEC* if the summary judgment is upheld on appeal.

Respectfully submitted,

DATED: June 22, 2020

LAW OFFICES OF SAMUEL KORNHAUSER

By:/s/ Samuel Kornhauser

Samuel Kornhauser, Esq.

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Attorneys for Defendants

Rule 7.1

Counsel for Defendants and counsel for Plaintiff have met and conferred several times in an attempt to resolve this matter without the need for a contested motion but were unable to do so.

DATED: June 22, 2020

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that on June 22, 2020, a copy of the foregoing was electronically filed through the ECF system and will be sent electronically to all persons identified in the Notice of Electronic Filing and that paper copies will be sent to those indicated as non-registered participants.

Dated: June 22, 2020

/s/ Dan Cowan

Dan Cowan